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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,055	12/15/2003	Christopher P. Thorman	P3217US1	5217

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EXAMINER

LEWIS, CHERYL RENE A

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/737,055	Applicant(s) THORMAN ET AL.	
	Examiner Cheryl Lewis	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-76 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>See Continuation Sheet</u>             |

Continuation of Attachment(s) 6). Other: copy of ex'r. amended drawings 3A-5.

### **DETAILED ACTION**

1. Claims 1-76 are presented for examination.

#### ***Drawings***

2. The drawings are objected to because drawing figures 3A-5 depict a partial view of the drawing figures. A box and/or a line drawn around each individual drawing figure is needed to show each individual figure as a separate entity (MPEP 37 CFR 1.84(h)).

As a convenience to the applicants, the examiner has attached an amendment of drawing figures 3A-5 to show by example, how to effectively amend drawing figures 3A-5.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

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Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 11, 12, 14-17, 25-31, 33, 35, 36, 40-46, 49-55, 61-69, 75, and 76 are rejected under 35 U.S.C. 102(e) as being anticipated by Hughes et al. (Publication No.: US 2004/0078358 A1 filed October 17, 2002 hereinafter Hughes).

5. Regarding Claims 1, 25, and 40, Hughes teaches a search for specific files from browser window. The method and associated for a search for specific files from browser window as taught or suggested by Hughes includes:

designating a plurality of file system locations (figure 3, paragraph 0026, figure 4, elements Name, Size, Type, and Modified), wherein each file system location is associated with zero or more file objects (paragraph 0023-0031, figure 4); and displaying a superset of file objects associated with each of the designated file system locations in a single display (figure 4, paragraph 0029).

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6. Regarding Claim 2, Hughes teaches the act of designating is performed explicitly by a user (paragraph 0026, '...the user must first go to the Start menu for Windows...'; 'The user then enters the search criteria containing a wildcard...').
7. Regarding Claims 3, 52, and 66, Hughes teaches the file system comprises a hierarchical file system (figure 6, paragraph 0041).
8. Regarding Claims 4, 30, 42, 53, and 67, Hughes teaches the file system comprises a non-hierarchical file system (paragraphs 0033-0036).
9. Regarding Claims 5, 28, 41, and 51, Hughes teaches instructions to designate comprise instructions to designate the file system locations on at least two different computer systems (figure 1, element 100 'personal computer' and figure 2, element 200 'data processing system/client computer' and element 202 'processor').
10. Regarding Claims 6, 29, and 55, Hughes teaches designating comprises designating a cached (paragraph 0017, 'PCI bridge 208 also may include an integrated memory controller and cache memory for processor 202.') file structure image as a file system location (figure 6, paragraph 0041).
11. Regarding Claim 7, Hughes teaches designating file system locations on at least two different computer systems comprises designating file system locations on at least two different computer systems (figure 1, element 100 'personal computer' and figure 2, element 200 'data processing system/client computer' and element 202 'processor') communicatively coupled by a digital network (paragraph 0018, '...local area network (LAN) adapter 210...').

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12. Regarding Claims 8 and 54, Hughes teaches designating file system locations on at least two different computer systems comprises designating file system locations on at least two different computer systems (figure 1, element 100 'personal computer' and figure 2, element 200 'data processing system/client computer' and element 202 'processor') communicatively coupled by a personal area network (paragraph 0016, element 100).

13. Regarding Claims 9, 31, and 44, Hughes teaches displaying comprises identifying those file objects present in each of the designated file system locations in a first manner and those file objects present in only one of the designated file system locations in a second manner (figure 3, paragraph 0026, figure 4, elements Name, Size, Type, and Modified).

14. Regarding Claim 11, Hughes teaches identifying file objects in a first manner comprises displaying file objects using a first characteristic icon (figure 6, element 'Name') and the act of identifying file objects in a second manner comprises displaying file objects using a second characteristic icon (figure 6, element 'In Folder').

15. Regarding Claims 12, 33, and 45, Hughes teaches identifying those file objects present in more than one and less all of the designated file locations in a third manner (figure 3, paragraph 0026, figure 4, elements Name, Size, Type, and Modified).

16. Regarding Claims 14, 63, and 64, Hughes teaches identifying file objects in a third manner comprises displaying file objects using a third characteristic icon (figure 6, element 'Size').

17. Regarding Claims 15, 61, and 75, the limitations of these claims have been noted in the rejections of claims 1 and 11 presented above. They are therefore rejected as set forth above.

18. Regarding Claims 16, 35, 46, 62, and 76, Hughes teaches visually associating information tags with at least one of the displayed file objects (figure 3, paragraph 0026, figure 4, elements Name, Size, Type, and Modified).

19. Regarding Claims 17 and 36, Hughes teaches visually associating information tags comprises visually associating one or more alphanumeric symbols with a displayed file object, the alphanumeric symbols identifying the number of designated file system locations associated with the file object (figure 3, paragraph 0026, figure 4, elements Name, Size, Type, and Modified, paragraph 0033-0041).

20. Regarding Claims 26 and 43, Hughes teaches instructions to designate a plurality of file system locations comprise instructions to permit a user to explicitly designate a plurality of file system locations (paragraph 0023, '...a user can view specific files from any directory by using a "\*" character...', paragraph 0026, '...the user must first go to the Start menu for Windows...'; 'The user then enters the search criteria containing a wildcard...').

21. Regarding Claims 27, 50, 68, and 69, Hughes teaches instructions to designate a plurality of file system locations comprise instructions to select one or more default file system locations (paragraph 0023, '...a user can view specific files from any directory by using a "\*" character...', paragraph 0026, '...the user must first go to the Start menu for Windows...'; 'The user then enters the search criteria containing a wildcard...').



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22. Regarding Claim 40, the limitations of this claim has been noted in the rejections of claims 1 and 25 presented above. In addition, Hughes teaches a central processing unit (figure 1, element 202); a memory (figure 1, element 204) operatively coupled to the central processing unit; a computer network (figure 1, element 210) connection operatively coupled to the central processing unit; a display unit (figure 1, element 102) operatively coupled to the central processing unit and the memory; and a storage device (figure 1, elements 226, 228, and 230), operatively coupled to the central processing unit and the memory, the storage device having instructions stored thereon (paragraph 0016) for causing the central processing unit to display, on the display unit a file-browser application (paragraphs 0019-0035).

23. Regarding Claims 49 and 65, the limitations of these claims have been noted in the rejections of claims 1, 5, and 25 presented above. They are therefore rejected as set forth above.

### ***Claim Rejections - 35 USC § 103***

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. Claims 10, 13, 18-24, 32, 34, 37-39, 47, 48, 56-60, and 70-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes et al. (Publication No.: US 2004/0078358 A1 filed October 17, 2002 hereinafter Hughes) as applied to claim 1

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above, and further in view of Starbuck et al. (Pub. No.: US 2003/0084096 A1 filed May 16, 2002, hereinafter Starbuck).

26. Regarding Claims 10, 13, 32, and 34, Hughes teaches displaying file objects in a first and second manner (figure 3, paragraph 0026, figure 4, elements Name, Size, Type, and Modified). However, Hughes does not expressly teach displaying file objects in a first and second color.

Starbuck teaches displaying file objects in a first and second color (paragraphs 0104 and 0114-0118).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the display browser window of Hughes' method with the true color environment of Starbuck's method because Starbuck's true color environment could enable the display browser window of Hughes' method to enhance and define the objects of the display browser window, wherein the true-color image is nearly a photographic color that is presented through a process of allocating an increased amount of memory to each pixel of a display (see Starbuck, paragraph 0116).

27. Regarding Claims 18, 37, 47, 56, and 70, Starbuck teaches selecting a display file object (paragraph 0063); issuing a command against the selected file object (paragraph 0063); and copying the selected file object to a specified the location in each of the designated file system locations that it is not already associated with in response to the command (paragraphs 0102 and 0103).

28. Regarding Claims 19, 38, 57, and 71, Starbuck teaches a file object displayed in a non-superset file-browser (paragraph 0064); graphically dragging and dropping the

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selected file object to a specified location in the designated file system locations (paragraph 0013); and copying the selected file object to the specified location in each of the designated file system locations in response to dragging and dropping (paragraphs 0102 and 0103, figure 3B, element 312 'Copy this file').

29. Regarding Claims 20, 39, 58, and 72, Starbuck teaches copying the selected file object in accordance with a specified merge policy (paragraphs 0118 and 0123).

30. Regarding Claim 21, Starbuck teaches the specified merge policy comprises a write-over merge policy (paragraphs 0041, 0118, and 0123).

31. Regarding Claim 22, Starbuck teaches the specified merge policy comprises a copy-the-latest file object merge policy (paragraphs 0118 and 0123).

32. Regarding Claims 23, 48, 59, and 73, the limitations of these claims have been noted in the rejections of claims 1, 18, and 19 presented above. They are therefore rejected as set forth above.

33. Regarding Claims 24, 60, and 74, the limitations of these claims have been noted in the rejections of claims 18 and 19 presented above. In addition, Starbuck teaches a directory indicating a designated location (paragraph 0071).

***NAME OF CONTACT***

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Cheryl Lewis', with a stylized, cursive script.

Cheryl Lewis  
Patent Examiner  
August 15, 2006

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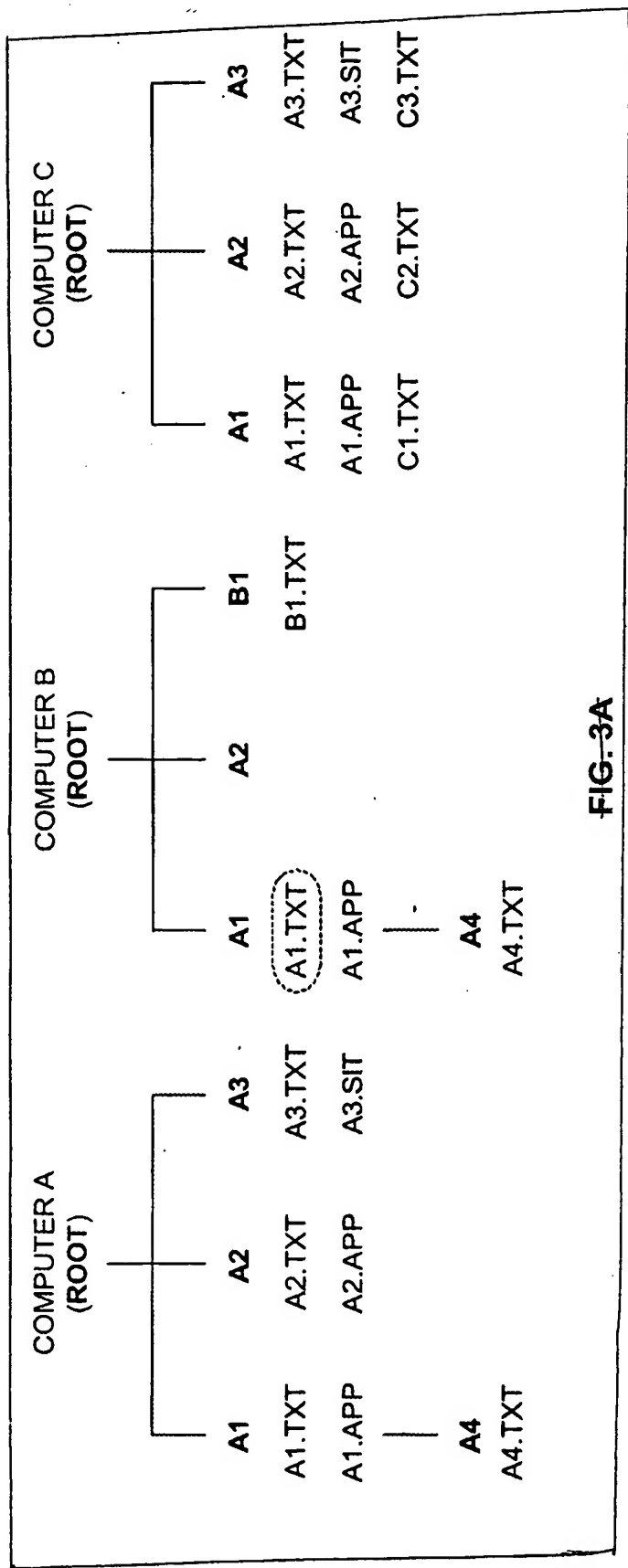


FIG. 3A

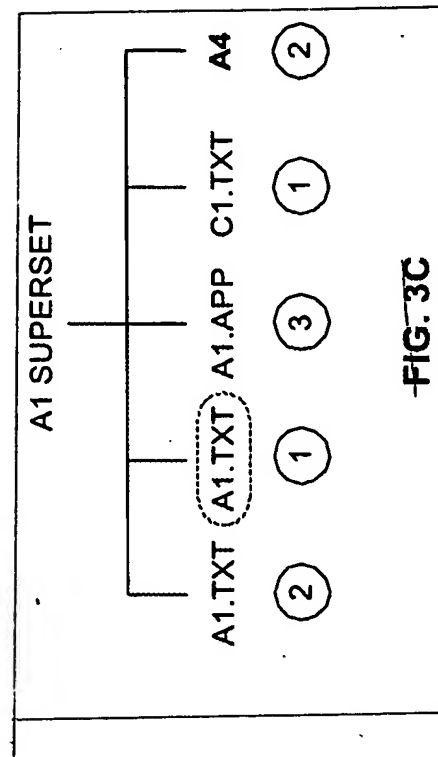


FIG. 3B

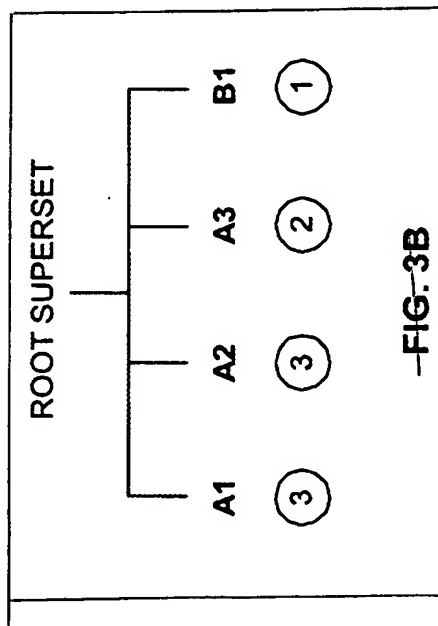


FIG. 3C

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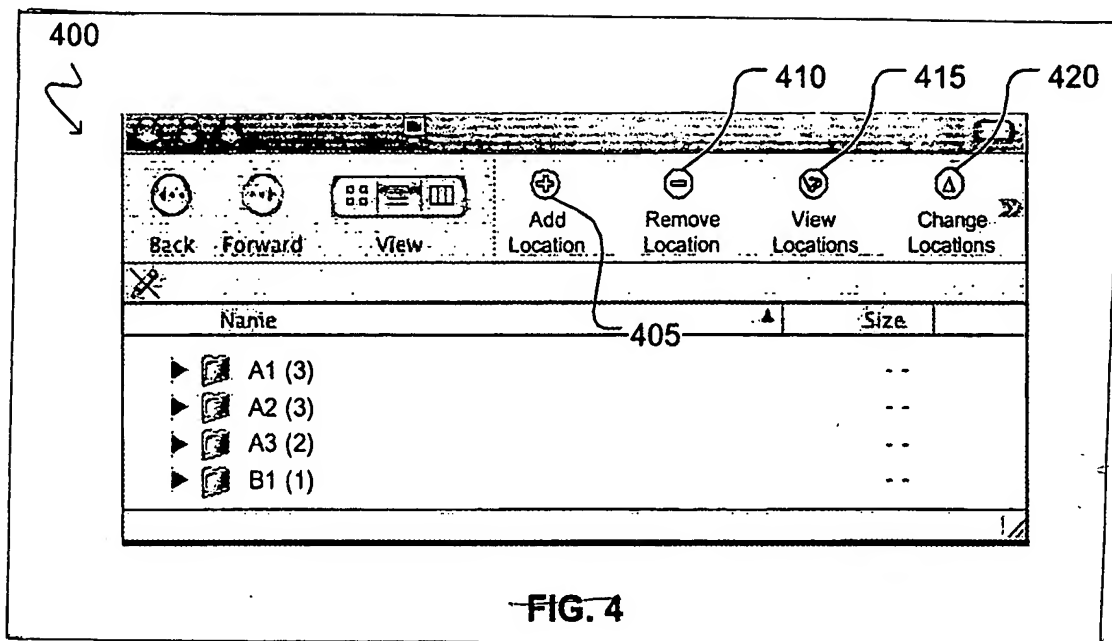


FIG. 4

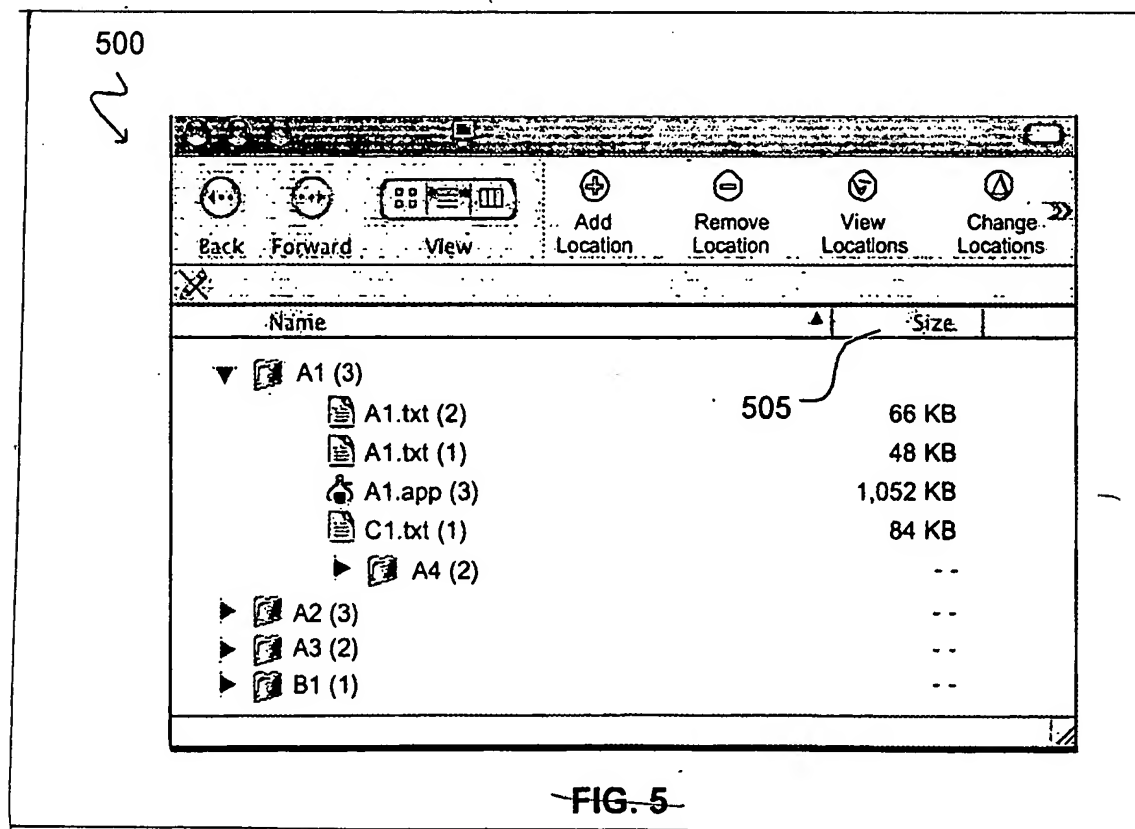


FIG. 5